

**AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT**  
**CITY COUNCIL MEETING OF: JANUARY 3, 2007**

**DEPARTMENT: PLANNING & DEVELOPMENT**

**DIRECTOR: M. MARGO WHEELER**

☐ Consent ☒ Discussion

**SUBJECT:**

VARIANCE

VAR-17156 – ABEYANCE ITEM - PUBLIC HEARING - APPLICANT/OWNER: GLENN J. SORRELLS - Appeal filed by the applicant from the denial by the Planning Commission of a request for a Variance TO ALLOW A SEVEN-FOOT HIGH WALL WHERE A FIVE-FOOT HIGH WALL IS THE MAXIMUM HEIGHT PERMITTED IN A PORTION OF THE FRONT YARD on 0.15 acres at 1109 Shifting Sands Drive (APN 138-26-615-088), R-1 (Single Family Residential) Zone, Ward 5 (Weekly). NOTE: THE APPLICATION IS FOR AN EIGHT FOOT HIGH WALL WHERE A FIVE-FOOT HIGH WALL IS THE MAXIMUM. The Planning Commission (7-0 vote) and staff recommend DENIAL

**PROTESTS RECEIVED BEFORE:**

Planning Commission Mtg.

0

City Council Meeting

19

**APPROVALS RECEIVED BEFORE:**

Planning Commission Mtg.

0

City Council Meeting

0

**RECOMMENDATION:**

The Planning Commission (7-0 vote) and staff recommend DENIAL.

**BACKUP DOCUMENTATION:**

1. Location and Aerial Maps
2. Conditions and Staff Report
3. Supporting Documentation
4. Justification Letter
5. Appeal letter filed by Glenn Sorrells
6. Protest petition with 19 signatures
7. Backup referenced from the 11-16-06 Planning Commission Meeting Item 32

Motion made by LAWRENCE WEEKLY to Approve Subject to Conditions and adding the following condition as read for the record:

A. The south property line wall shall be eight feet wrought iron spaced no less than four inches with pilasters placed on the returns only.

B. The west property line wall shall be no more than four feet of decorative block wall with no less than three feet of open wrought iron spaced no more than four inches with pilasters placed 10 feet on center and at the returns.

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- C. The applicant is responsible to have the south property line established by a licensed surveyor.
- D. A landscape plan shall be submitted for approval by the Planning and Development Department for the front yard prior to the issuance of building permits.
- E. Front yard landscaping shall be improved by removing any dead trees, including the front cypress trees, debris and trimming existing landscaping within 60 days.
- F. The wall shall be fully completed in 90 days.

Passed For: 7; Against: 0; Abstain: 0; Did Not Vote: 0; Excused: 0

LOIS TARKANIAN, LAWRENCE WEEKLY, LARRY BROWN, OSCAR B. GOODMAN, GARY REESE, STEVE WOLFSON, STEVEN D. ROSS; (Against-None); (Abstain-None); (Did Not Vote-None); (Excused-None)

Minutes:

MAYOR GOODMAN declared the Public Hearing open.

GLENN SORRELLS, 1109 Shifting Sands Drive, stated he wants to build a solid block wall four feet tall with three feet of wrought iron on top.

JOYCE de la ROSA stated she met with COUNCILMAN WEEKLY and Planning staff. She realizes everyone has the right to build on their property, but there has been no good faith on the applicant's part to keep his property decent. The applicant has already changed his mind on what he plans to do, even after the December City Council meeting. He does not complete projects. Currently there are cypress trees in-between the properties, which were not part of the original plan. These trees will get bigger and then she will be responsible for cutting down the part that comes onto her property. They have talked about a step down wall, which would be more attractive.

COUNCILMAN WEEKLY stated that when he visited the property, there seemed to be work in progress. Other residents have expressed concerns about what the applicant is trying to do on the property. However, he was pleased with the plan presented by MR. SORRELLS, but stressed that the project be completed.

COUNCILMAN WEEKLY indicated he would impose conditions that must be complied with by MR. SORRELLS. There will be a eight-foot wrought iron fence on the south property line and not a solid block wall. The cypress trees will be removed. To ease MRS. de la ROSA's concerns about the completion of the project, COUNCILMAN WEEKLY indicated a condition will be imposed giving MR. SORRELLS a timeframe in which to complete this project.

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MS. de la ROSA asked for a stipulation that MR. SORRELLS not build on his property. COUNCILMAN WEEKLY replied that clarification would need to be made as to where the property lines begin. He read added conditions into the record.

MARGO WHEELER, Director of Planning and Development Department, added another condition regarding the surveyor, a date of completion and the removal of the cypress trees. The applicant agreed to all conditions.

COUNCILMAN ROSS asked that MR. SORRELLS indicate for the record that he would follow the inspections schedule as dictated in the building permits. MR. SORRELLS agreed.

MAYOR GOODMAN declared the Public Hearing closed.

